



Order Filed on October 5, 2016
by Clerk
U.S. Bankruptcy Court
District of New Jersey

<p>769057 PHELAN HALLINAN DIAMOND & JONES, PC 400 Fellowship Road, Suite 100 Mt. Laurel, NJ 08054 856-813-5500 <u>Attorneys for Secured Creditor: SANTANDER</u> <u>BANK, N.A.</u> UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY</p> <p>Caption in Compliance with D.N.J. LBR 9004-1(b)</p>
<p>In Re:</p> <p>CECELIA TOMPOE SAMUEL K. TOMPOE A/K/A SAMUEL TOMPOE</p>

Case No: 15-29212 - CMG

Hearing Date: 09/21/2016

Judge: CHRISTINE M.
GRAVELLE

**CONSENT ORDER RESOLVING MOTION FOR RELIEF AND
OPPOSITION TO DEBTOR'S APPLICATION FOR EXTENSION OF THE LOSS
MITIGATION PROGRAM**

The consent order set forth on the following pages is hereby ORDERED.

DATED: October 5, 2016



Honorable Christine M. Gravelle
United States Bankruptcy Judge

NJID 769057

PHELAN HALLINAN DIAMOND & JONES, PC
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Mt. Laurel, NJ 08054
856-813-5500
Attorneys for SANTANDER BANK, N.A.

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW JERSEY

IN RE:

CECELIA TOMPOE
SAMUEL K. TOMPOE A/K/A
SAMUEL TOMPOE

CASE NO. 15-29212 - CMG

CHAPTER 13

Debtors

CONSENT ORDER RESOLVING
MOTION FOR RELIEF AND OPPOSITION
TO DEBTOR'S APPLICATION TO EXTEND THE
LOSS MITIGATION PERIOD

HEARING DATE: 09/21/2016

This Consent Order pertains to the property located at 66 PENWOOD DRIVE, EWING, NJ 08618-4716, mortgage account ending with "2209";

THIS MATTER having been brought before the Court by, CANDYCE ILENE SMITH-SKLAR, Esquire attorney for debtors, CECELIA TOMPOE, SAMUEL K. TOMPOE upon the filing of an application to extend the loss mitigation period, and, SANTANDER BANK, N.A. by and through its attorneys, Phelan Hallinan Diamond & Jones, PC having filed opposition to Debtor's application to extend the loss mitigation and Motion for Relief and the parties having subsequently resolved their differences; and the Court noting the consent of the parties to the form, substance and entry of the within Order; and for other and good cause shown:

IT IS ORDERED as follows:

1. SANTANDER BANK, N.A has filed a valid, secured Proof of Claim in the amount of **\$16,197.39** (claim no. 9).
2. Debtor shall tender two adequate protection payments immediately. Additionally, debtor must stay current with their adequate protection payments while the proposed Loan Modification is under review.

2. The Trustee is authorized not to pay the secured arrearage claim of SANTANDER BANK, N.A in the amount of **\$16,197.39** (claim no. 9), so debtors can apply and potentially complete a loan modification. Should the debtors qualify for a loan modification, the loan modification must be approved no later than **12/20/2016**. If loan modification is not obtained by **12/20/2016**, debtor to immediately cure default on regular post-petition payments to the secured creditor. If post-petition default is not cured immediately, SANTANDER BANK, N.A may file a Certificate of Default, as well as obtain Relief from the Automatic Stay.

3. If Loan Modification is approved, SANTANDER BANK, N.A shall file an Amended Proof of Claim showing the amount of arrears paid to date by the Trustee.

4. If a loan modification is not approved by **12/20/2016**, the debtors shall do one of the following: 1) file a Modified Plan to cure the arrearage claim of Movant; or 2) file a Modified Plan to surrender the property subject to said claim; or 3) a Notice to Convert to Chapter 7; or 4) a Notice to Dismiss Case.

5. Debtors acknowledge that the monthly post-petition mortgage payment amount is subject to change in accordance with the terms of the note and mortgage.

6. This Consent Order shall be incorporated in and become a part of any Order Confirming Plan in the herein matter.

The undersigned hereby consent to the form,
Content and entry of the within Order:

PHELAN HALLINAN DIAMOND & JONES, PC
Attorneys for Secured Creditor:
SANTANDER BANK, N.A.

/s/ Nicholas V. Rogers
Nicholas V. Rogers, Esq.
Phelan Hallinan Diamond & Jones, PC
400 Fellowship Road, Suite 100
Mt. Laurel, NJ 08054
Tel: 856-813-5500 Ext. 42689
Fax: 856-813-5501
Email: nicholas.rogers@phelanhallinan.com

Dated: 10/5/2016

/s/ Candyce Smith-Sklar Dated: 10/5/2016
CANDYCE ILENE SMITH-SKLAR, Esquire
Attorney for debtors

Certificate of Notice Page 4 of 4
United States Bankruptcy Court
District of New Jersey

In re:
Samuel K Tompoe
Cecelia Tompoe
Debtors

Case No. 15-29212-CMG
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3

User: admin
Form ID: pdf903

Page 1 of 1
Total Noticed: 1

Date Rcvd: Oct 05, 2016

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 07, 2016.

db/jdb +Samuel K Tompoe, Cecelia Tompoe, 66 Pennwood Drive, Trenton, NJ 08638-4716

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Oct 07, 2016

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on October 5, 2016 at the address(es) listed below:

Albert Russo on behalf of Trustee Albert Russo docs@russotrustee.com

Albert Russo docs@russotrustee.com

Candyce Ilene Smith-Sklar on behalf of Joint Debtor Cecelia Tompoe mail@njpalaw.com

Candyce Ilene Smith-Sklar on behalf of Debtor Samuel K Tompoe mail@njpalaw.com

Denise E. Carlon on behalf of Creditor MidFirst Bank bankruptcynotice@zuckergoldberg.com,
bkgroup@kmlawgroup.com

James Patrick Shay on behalf of Creditor SANTANDER BANK, NATIONAL ASSOCIATION

james.shay@phelanhallinan.com

John Philip Schneider on behalf of Creditor SANTANDER BANK, NATIONAL ASSOCIATION

nj.bkecf@fedphe.com

Michael Frederick Dingerdissen on behalf of Creditor SANTANDER BANK, N.A. nj.bkecf@fedphe.com

TOTAL: 8